



May 1, 2014

VIA ECF

The Honorable A. Kathleen Tomlinson
United States Magistrate Judge
United States District Court of the Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722-9014

Re: *Izabella Rozenfeld v. Neurological Associates of Long Island, P.C.*
and Jeffrey T. Kessler
Case No. : 13-CIV-4509
Our File No. : 10893.00048

Dear Magistrate Tomlinson:

This office represents the defendants, Neurological Associates of Long Island, P.C. and Jeffrey T. Kessler. We write on behalf of all parties regarding their agreement to explore settlement discussions and private mediation. As Your Honor may recall, at our last conference on March 13, 2014, the parties were instructed to complete all fact discovery by June 30, 2014 and all expert discovery by October 3, 2014. We make this first application on consent of all parties to extend the discovery deadlines by 30 days from the current end dates, thereby extending the parties time to complete all fact discovery to July 31, 2014 and all expert discovery to November 3, 2014.

The parties have worked diligently to move forward with discovery and have scheduled all fact witness depositions from the middle of May to the end of June. While recent settlement discussions have not yet been successful, settlement discussions have been progressing and the parties believe that private mediation may result in resolution of the case. As such, the parties have scheduled private mediation on June 4th and would like a 30 day extension of the existing discovery deadlines to try to resolve this case at mediation. An extension of fact discovery to July 31, 2014 will allow parties an opportunity to schedule and conduct all depositions before the new deadline, should mediation prove unsuccessful. Additionally, should Your Honor grant our request for an extension of fact discovery, we request a similar extension for all expert discovery.

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We hope that mediation will obviate the need and expenses associated with further proceedings. At this time, parties seek to avoid further increased litigation costs as they attempt to resolve the matter and prefer to avoid unnecessarily expending funds on discovery which could be used for settlement.

We hereby request that Your Honor grant an extension of 30 days from the current discovery end dates of June 30, 2014 for all fact discovery and October 3, 2014 for all expert discovery to July 31, 2014 and November 3, 2014, respectively. Thank you for your consideration of this request.

Respectfully Submitted,

WILSON, ELSER, MOSKOWITZ, EDELMAN & DICKER LLP

A handwritten signature in black ink, appearing to read 'Robert J. Pariser', written over a horizontal line.

Robert J. Pariser (RP0276)
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cc: BRIAN T. CARR, ESQ. (BC2519)
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